

Legislative Federal Economic Stimulus Program Oversight Commission  
Department/Agency Questionnaire  
December 22, 2009

ARRA program: Edward Byrne Memorial Justice Assistance Grant Program  
Bureau of Justice Assistance  
U.S. Department of Justice

Award number: 2009-SU-B9-0044

Project title: State of Hawaii 2009 Recovery Act Justice Assistance Grant (JAG) Program

**1. For each group/category or program/project for which ARRA funds have been obtained, please provide the following information:**

**(a) A brief summary of the program/project, including goals;**

The overall goal of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program is to assist state and local criminal justice efforts in preventing or reducing crime and violence. The funds are sub-granted for projects such as drug task forces, specialized prosecution units, forensic evidence units, criminal justice database improvements, school emergency response plans, family justice centers, and offender assessment and reentry projects.

**(b) Whether funds were appropriated for expenditure by a federal agency, were awarded as a formula/block grant to a State or county agency, or were awarded on a competitive grant basis;**

Formula grant.

**(c) Whether matching funds are required, and, if so:**

- (i) Are they available;**
- (ii) Have they been secured;**
- (iii) If they have not been secured, why not; and**
- (iv) Will the State be required to continue that match or provide increased/full funding in the future;**

Matching funds are not required.

**(d) If there are additional requirements to receive funds, what are they;**

Standard federal grant requirements apply – for example, no supplanting, no discrimination, no lobbying, drug free workplace, equal employment opportunity.

- (e) **The amount of funds involved and the state/federal fiscal year within which the funds must be expended (e.g. SFY 2009-2010 or FFY 2009-2010);**

Amount of funds involved: \$6,424,438

The funds must be expended by April 30, 2013.

- (f) **What criteria were used to identify the program/project as a priority and how does the program/project meet them;**

Hawaii receives a JAG formula grant every year. The Governor's Committee on Crime selects the priorities for these funds from among the purpose areas authorized by the U.S. Department of Justice. On March 24, 2009, the Committee selected the following priorities: law enforcement programs; prosecution and court programs; corrections and community corrections programs; drug treatment and enforcement programs; and planning, evaluation, and technology improvement programs.

The current Committee members are the Attorney General (chair), the First Circuit Criminal Administrative Judge, the Administrative Director of the Courts, the Superintendent of the Department of Education, the Director of the Department of Health, the Director of the Department of Public Safety, the Chair of the Hawaii Paroling Authority, the Chief of the Hawaii Police Department, the Chief of the Honolulu Police Department, the Prosecuting Attorney of the County of Kauai, the Prosecuting Attorney of the County of Maui; and the U.S. Attorney for the District of Hawaii (non-voting).

In general, the Committee includes two Police Chiefs and two Prosecuting Attorneys, on a rotating basis. The Police Chiefs and Prosecuting Attorneys who are not current members are invited to Committee meetings. Program staff of the member agencies also attend Committee meetings.

- (g) **Efforts undertaken to coordinate application for funds and administration of the program/project, including expenditure of funds, with other federal, state, and county agencies;**

The panels that conducted the first review of the sub-grant applications included employees of various criminal justice agencies. The Governor's Committee on Crime, which comprises the agencies listed in section 1.(f) above, also reviewed and approved the sub-grant applications. At Committee meetings, county police and prosecutors reported on their plans for using the ARRA JAG funds that counties received directly from the U.S. Department of Justice.

Coordination among agencies also occurs at the operational level, where appropriate. For example, police departments that receive funding for drug task

forces coordinate missions with appropriate federal agencies, such as the U.S. Drug Enforcement Administration.

**(h) The criteria used to select activities for the program/project;**

The sub-grant application scores were based on the following categories: problem statement, goals and objectives to address the problem, project activities to accomplish objectives, project organization and management, personnel, performance indicators and outcome measures, and probability to improve the criminal justice system.

**(i) Efforts made to provide public notice and seek public comment/input or, if public comment/input was not sought, why;**

The Department posted a draft of its formula grant application on the Department's website for public comment before submitting it to the U.S. Department of Justice. The Department held informational meetings with Oahu criminal justice agencies on March 20, 2009, and with neighbor island criminal justice agencies by videoconference on March 23, 2009. Governor's Committee on Crime meetings, including the meetings where ARRA grants were discussed, are open to the public.

**(j) Efforts made during the bidding/award process to ensure that it was transparent and that the funds were awarded based on merit and in a prompt, fair, and reasonable manner;**

A three tier review process was used. First, three panels comprising the Department's JAG program staff and employees of various criminal justice agencies conducted an initial review. Second, the Department's JAG program staff reviewed the panels' findings and made funding recommendations to the Governor's Committee on Crime. Third, the Committee reviewed the sub-grant application materials, voted on which projects to fund, and made recommendations to the Attorney General. The Attorney General accepted the Committee's recommendations. The Department received 46 sub-grant applications and awarded 23 sub-grants.

**(k) Measures employed to: (1) reduce duplication of efforts, (2) ensure that funds were used for authorized purposes, and (3) prevent cost overruns, fraud, waste, error, and abuse;**

The Department reviewed the sub-grant applications to ensure that there was no duplication with other known funding sources, and that the activities and budget items were allowable and reasonable. The Department will conduct desk monitoring (review of program reports and fiscal reports) and site visits, using established grant administration procedures, to verify compliance.

- (l) Current status of the program/project, including percentage of awarded funds that have been obtained, percentage of awarded funds encumbered and/or expended, and what part(s) of program/project have been completed; and**

The JAG grant program requires the State to draw down the funds in one lump sum at the start of the grant period. All of the ARRA JAG grant funds have been encumbered. As of September 30, 2009 (the end of the first sub-recipient reporting period), four of the twenty-three projects were operational; the other contracts were in process. As of November 30, 2009, the Department and its sub-recipients had spent a total of \$40,463.

- (m) Actual or anticipated economic impact to the State of the program/project, including the number of jobs saved/created and the long-term public benefits of the program/project.**

Number of jobs saved/created: Approximately 30. The actual number will be determined after the sub-grant projects have been implemented, positions have been filled, and contracts with vendors have been executed.

Public benefits: Prevention and reduction of crime and violence.

- 2. For other programs/projects, if ARRA funds, such as competitive grants, were available for a program/project but were not sought or were denied, please briefly describe why the funds were not sought or why they were denied.**

The other ARRA criminal justice grant programs were not appropriate for the Department of the Attorney General. The Department distributed a list of ARRA criminal justice grant opportunities to other state and county criminal justice agencies and the Judiciary.

- 3. Please describe:**

- (a) Any legal/operational barriers/constraints encountered in the award, receipt, encumbrance, or expenditure of funds, including procurement, late/delayed federal guidance, and reporting requirements;**
- (b) The effect of those barriers/constraints; and**
- (c) If and how they were mitigated.**

None.